

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

A premises located at 22727 84th Ave. West,
Edmonds, Washington 98026, more fully described in
Attachment A

Case No.

MJ2D-047

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

A premises located at 22727 84th Ave. West, Edmonds, Washington 98026, more fully described in Attachment A

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

FILED ENTERED
LODGED RECEIVED

FEB 04 2020

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

The search is related to a violation of:

Code Section

Offense Description

18 U.S.C. §§922(g)(1);(2),371 Felon in Possession of a Firearm; Conspiracy
26 U.S.C. §§ 5861(d); (3) Unlawful Possession of a Firearm

The application is based on these facts:

- ☒ See Affidavit of Special Agent Shawn Galetti, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☐ by reliable electronic means; or: ☐ telephonically recorded.



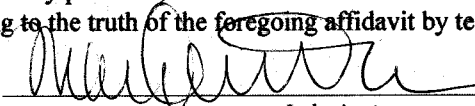
Applicant's signature

Shawn Galetti, HSI Special Agent

Printed name and title

- ☒ The foregoing affidavit was sworn to before me and signed in my presence, or
☐ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: February 4, 2020



Judge's signature

City and state: Seattle, Washington

Mary Alice Theiler, United States Magistrate Judge

Printed name and title

STATE OF WASHINGTON)
COUNTY OF KING) SS

AFFILIANT BACKGROUND

2. I make this affidavit in support of an application for a search warrant to search the premises located at 22727 84th Ave. West, Edmonds, Washington 98026 (the "SUBJECT PREMISES"). The SUBJECT PREMISES is further described in Attachment A to this affidavit, which is incorporated herein by reference.

3. As discussed below, there is probable cause to believe that Nathan Brasfield, a convicted felon, resides at the SUBJECT PREMISES, and has one or more firearms stored at the SUBJECT PREMISES. In addition, there is probable cause to believe that Brasfield has imported silencers, for delivery to the SUBJECT PREMISES.

5. The facts set forth in this Affidavit are based on my own personal knowledge; information obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of cooperating witnesses; review of documents and records related to this investigation; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

6. Because this Affidavit is submitted for the limited purpose of establishing probable cause in support of the application for a search warrant, it does not set forth each and every fact that I, or others, have learned during the course of this investigation.

RELEVANT LAW

7. Title 18, United States Code, Section 922(g)(1) prohibits a felon from possessing a firearm that traveled in interstate commerce. Under Title 18, United States Code, Section 921(a)(3)(C), the term “firearm” includes “any firearm muffler or silencer.” Under Title 18, United States Code, Section 921(a)(24), the “terms “firearm silencer” and “firearm muffler” mean “any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.”

8. Title 26, United States Code, Section 5861(d), prohibits a person to receive or possess a firearm not registered to the person in the National Firearms Registration and Transfer Record. A silencer, as defined above, is a type of firearm under this provision.²

¹ I am not seeking authority to search any digital devices at this juncture.

² This affidavit uses the term “silencer” to refer both to the Title 18 and Title 26 provisions cited under this section.

1 9. Title 18, United States Code, Section 545, prohibits fraudulently or
2 knowingly importing or bringing into the United States, any merchandise contrary to law.

3 10. Title 18, United States Code, Section 371 prohibits two or more persons
4 from conspiring to violate federal law, and taking an overt act in furtherance of the
5 conspiracy.

6 **SUMMARY OF INVESTIGATION**

7 **A. The Seized Packages**

8 11. On January 16, 2020, a Customs and Border Protection officer conducted a
9 border inspection of two packages that were addressed to Nathan Brasfield at the
10 SUBJECT PREMISES. As discussed below, Brasfield is a convicted felon. The
11 packages had been shipped from China. Both package labels described each package as
12 containing "aluminum tube." The shipper was listed as "Zhangruiyue." Since November
13 2019, CBP officers have inspected over 60 packages from this shipper from the same or
14 similar Chinese addresses. These packages all contained silencers, or items suspected of
15 being silencers. The packages contained shipping labels that falsely described the items
16 as containing items such as "aluminum tubes".

17 12. The first package was a box addressed to Brasfield containing four identical
18 black tubes that comprised of a single baffle with one end threaded and the other end-
19 caps with a center mark indicated. The second package contained one identical item as
20 above. Pictures of the two packages are shown below:
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中国邮政 CHINA POST

LN 156 010 046 CN

SHIP TO: NATHAN BRASFIELD
22727 84TH AVE W
EDMONDS WASHINGTON 98026-8277
UNITED STATES

PHONE: +12063517143

Fees(US \$):

Certificate No.

No.	Qty	Description of Contents	Kg	Val(US\$)	Goods Origin
1	2	Aluminum tube(OS100078-BK 2) 铝管	0.2	2.0	CN
Total Gross Weight (kg.):			0.2	2.0	

I certify the particulars given in this customs declaration are correct. This item does not contain any dangerous article, or articles prohibited by legislation or by postal or customs regulations. I have met all applicable export filing requirements under the Foreign Trade Regulations.

Sender's Signature & Date Signed:

CN22

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中国邮政 CHINA POST

LN 156 010 275 CN

SHIP TO: NATHAN BRASFIELD
22727 84TH AVE W
EDMONDS WASHINGTON 98026-8277
UNITED STATES

PHONE: +12063517143

Fees(US \$):

Certificate No.

No.	Qty	Description of Contents	Kg	Val(US\$)	Goods Origin
1	4	Aluminum tube(OS100078-BK 1) 铝管	0.8	8.0	CN
Total Gross Weight (kg.):			0.8	8.0	

I certify the particulars given in this customs declaration are correct. This item does not contain any dangerous article, or articles prohibited by legislation or by postal or customs regulations. I have met all applicable export filing requirements under the Foreign Trade Regulations.

Sender's Signature & Date Signed:

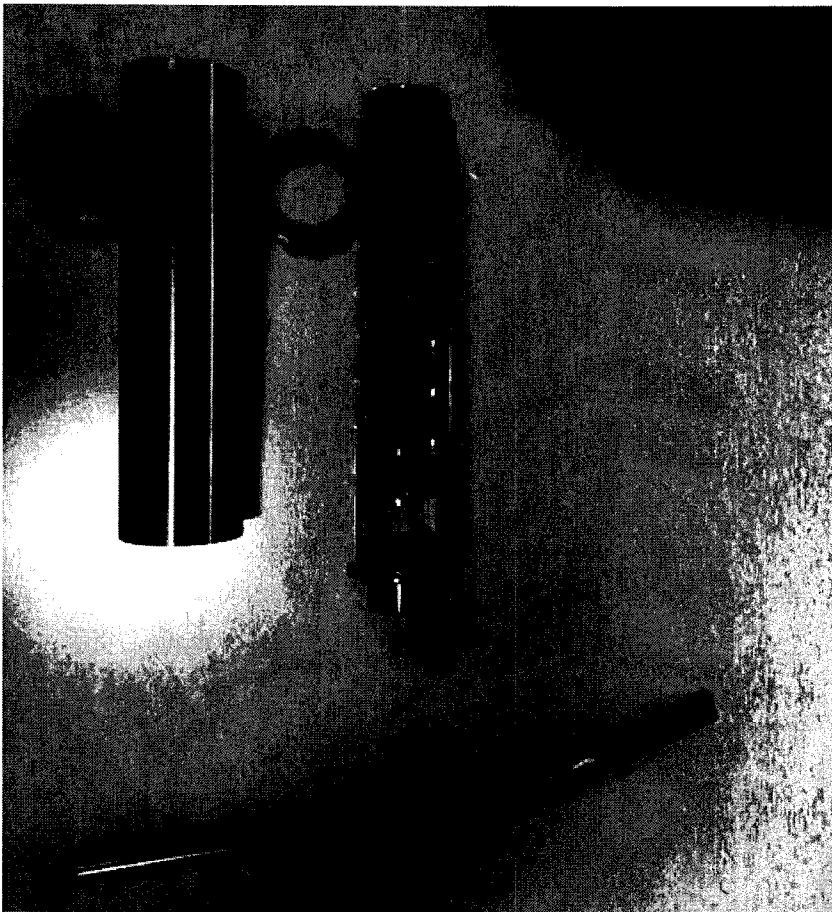
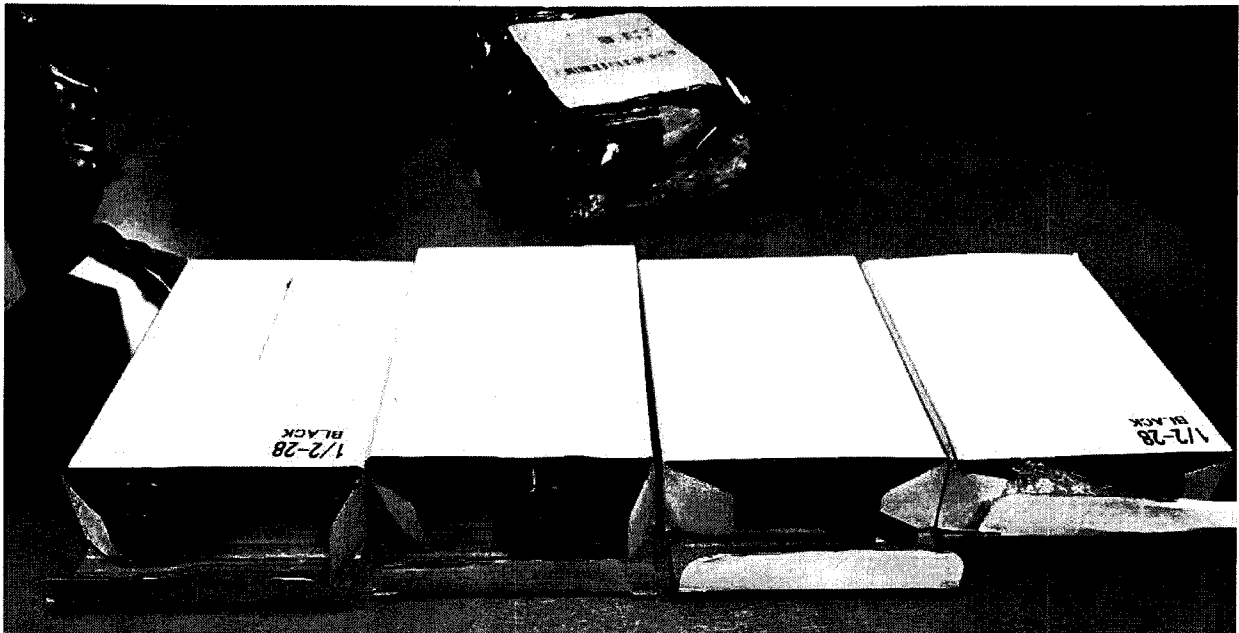
CN22

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AFFIDAVIT OF GALETTI - 4
USAO# 2020R00111

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

13. The devices are depicted in the following:



14. I have examined the devices with Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Special Agent Nate Merritt. Special Agent Merritt has received specialized training on firearms, which includes training on silencers. We also reviewed a report published by the ATF Firearms Technology Criminal Branch that examined a device that was sent by the same shipper.³ The report describes the device as follows:

Exhibit 3 is a monocoire baffle firearm silencer that is identical in design and construction to Exhibit 1 with the exception of the rear threads, which are 1/2X28 (see attached photos). As received, the Exhibit is assembled with a solid front end-cap that is center-marked in the same fashion as Exhibit 1. As such, Exhibit 3 is a combination of parts designed and intended for use in assembling a firearm silencer or firearm muffler and, therefore, is a "firearm silencer" as defined.

Further, the *additional* front end-cap included with the Exhibit is hereafter referred to as Exhibit 3a. This end-cap is open in the center to allow a bullet to pass through in the same manner as the front end-cap in Exhibit 1. Therefore, the Exhibit 3a front end-cap, in and of itself, being a part intended only for use in assembling a firearm silencer, is a "firearm silencer" as defined.

15. The report concludes that the device is a silencer, both under Titles 18 and 26.

16. Special Agent Merritt and I have examined the devices that were intended for Brasfield, and compared them to the device that is described in the report. The devices are identical in all material respects, *i.e.*, it has the same components and characteristics that are highlighted above in the report.⁴ Thus, based on my training and experience, along with the training and experience of Special Agent Merritt, I believe that the device is a silencer. Special Agent Merritt shares this belief, which is grounded in part on his training and experience, including his knowledge gained in multiple investigations he has conducted into Chinese silencers entering the United States.

³ Examiners with the Firearms Technology Criminal Branch receive training and have experience as to what constitutes a "silencer" under federal law.

⁴ The internal box of the item in the report contains a slightly different label compared to the items that were seized. In particular, the items that were seized contained labels that stated: "1/2 - 28 Black." The item in the report contained the same number, "1/2 - 28" with multiple Chinese characters, including a separate line of Chinese characters followed by "2#." The report also includes a picture of a bar code and accompanying sets of numbers that do not appear in the boxes that were seized.

1 **B. Nathan Brasfield's Criminal History and Residence**

2 17. I have reviewed the criminal history of Nathan Brasfield. In 2015,
3 Brasfield was convicted in the Western District of Washington of being a felon of
4 possession of a firearm. He was sentenced to 48 months in custody, and is currently on
5 federal supervised release. Brasfield has other felony convictions as well.

6 18. As a felon, Brasfield does not have any firearms registered to him on the
7 National Firearms Transfer Record, including silencers.

8 19. A record check with Washington State Department of Licensing revealed
9 that Brasfield updated his mailing address to the SUBJECT PREMISES in September
10 2019. In addition, Brasfield updated his address with United States Probation in
11 November 2019 and was visited by his Probation Officer at the SUBJECT PREMISES
12 also in November 2019. I have driven by the SUBJECT PREMISES numerous times
13 and have observed a Dodge work van registered to Brasfield parked in front of the
14 residence, along with a Porsche Cayenne, also registered to Brasfield parked in the
15 driveway. The last time this occurred was January 27, 2020.

16 20. Snohomish County property records show that the SUBJECT PREMISES
17 is two-bedroom two-bathroom home with a living area of 1832 square feet. The premises
18 include a garage. During surveillance agents observed numerous vehicles parked at the
19 residence.

20 21. I seek authorization to search the entire premises, to include the garage, and
21 any vehicles parked on the property.

22 **D. Training and Experience**

23 22. Based on my training and experience, I know that persons who order items,
24 even contraband, from overseas, often retain records relating to the order. I also know
25 that persons who order silencers almost always purchase them to use with an existing
26 firearm. I also know that persons typically store their own firearms in their personal
27 residence and vehicles. Finally, I know, based on my training and experience, and
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1 discussions with Special Agent Merritt, that the overwhelming percentage of firearms
2 found in the State of Washington, were manufactured outside the State of Washington.

3 **CONCLUSION**

4 23. For the foregoing reasons, I seek authority to search the SUBJECT
5 PREMISES for the items described in Attachment B.

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8 SHAWN GALETTI, Affiant
9 Special Agent, HSI

10 The above-named agent provided a sworn statement attesting to the truth of the
11 contents of the foregoing affidavit on 4th day of February, 2020.

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14 MARY ALICE THEILER
15 United States Magistrate Judge
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